

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE: ) Chapter 11  
 )  
EASTERN LIVESTOCK CO., LLC, ) Case No. 10-93904-BHL-11  
 )  
Debtor. ) Hon. Basil H. Lorch III

**EIGHTH INTERIM APPLICATION OF JAMES A. KNAUER FOR  
COMPENSATION AND REIMBURSEMENT OF EXPENSES  
AS CHAPTER 11 TRUSTEE**

James A. Knauer, the Chapter 11 Trustee appointed in this case ("Trustee") hereby makes his eighth interim application ("Application") for the allowance and payment of his fees incurred as Trustee and for reimbursement of out-of-pocket expenses advanced by the Trustee. In support of this Application, the Trustee states as follows:

1. Petitioning creditors commenced the above-captioned chapter 11 case ("Chapter 11 Case") against Debtor on December 6, 2010 ("Petition Date") by filing an involuntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. ("Bankruptcy Code"). This Court entered its *Order For Relief In An Involuntary Case And Order To Complete Filing* [Docket #110] on December 28, 2010.
2. On December 27, 2010, the Court entered its *Order Approving The Appointment Of James A. Knauer As Chapter 11 Trustee* [Docket #102] ("Trustee Order"), approving the United States Trustee's *Notice Of Appointment And Application for Order Approving Appointment of Trustee* [Docket #98] pursuant to 11 U.S.C. § 1104.
3. This Application is the eight interim application filed by the Trustee seeking compensation for actual, necessary services rendered by the Trustee and reimbursement of out-of-pocket expenses advanced by the Trustee for the period November 1, 2014 through and including August 31, 2015.
4. Following his appointment by the United States Trustee, the Trustee has performed a variety of services, all of which are described in detail in the billing statements attached as Exhibit A.

5. Exhibit A provides the detail of the time and hourly billing rate for the Trustee. A summary of the fees requested by the Trustee and the number of hours worked, the billing rate requested and the total fees claimed is set forth below:

<b>Task Description</b>	<b>Hours</b>	<b>Value</b>
<u>1 -Asset Analysis and Recovery</u>	<b>0.00</b>	<b>\$0.00</b>
<u>2 -Asset Disposition</u>	<b>0.00</b>	<b>\$0.00</b>
<u>3 -Business Operations</u>	<b>0.00</b>	<b>\$0.00</b>
<u>4 - Case Administration</u>	<b>16.10</b>	<b>\$7,647.50</b>
<u>5 -Claims Administration And Objections</u>	<b>0.00</b>	<b>\$0.00</b>
<u>6 - Fee/Employment Applications</u>	<b>1.00</b>	<b>\$475.00</b>
<u>7 -Financing</u>	<b>0.00</b>	<b>\$0.00</b>
<u>8 -Litigation</u>	<b>0.00</b>	<b>\$0.00</b>
<u>9 -Relief from Stay Proceedings</u>	<b>0.00</b>	<b>\$0.00</b>
<u>10 -Litigation Consulting</u>	<b>29.50</b>	<b>\$14,012.50</b>
<u>11 -Travel</u>	<b>0.00</b>	<b>\$0.00</b>
<u>No Charge</u>	<b>0.00</b>	<b>\$0.00</b>
<b>Total</b>	<b>46.60</b>	<b>\$22,135.00</b>

6. The Trustee has advanced the sum of \$73.76 for out-of-pocket expenses incurred in connection with this case during the period from November 1, 2014 through and including August 31, 2015. A summary of the out-of-pocket expenses incurred by the Trustee is set forth at the end of Exhibit A and Exhibit B.

7. The Trustee has maintained a very large website which includes all of the pleadings filed in this case as well as all of the pleadings filed in the related cases of East West Trucking, Inc. and the Thomas and Patsy Gibson bankruptcy estates. This website additionally contains hearing transcripts, a blog of case developments, the pleadings filed in significant adversary proceedings, including inter-pleader cases, a listing of current events, links to news articles and information on filing of claims, links to claim forms and filing deadlines. The site also contained information for the filing of bond claims related to the Debtor's USDA bond. Primary responsibility for maintenance and posting to the website rests with the Trustee's Paralegal whose normal hourly billing rate is \$125 per hour. From November 1, 2014 through and including August 31,

2015, the work of the Trustee's Paralegal in maintaining the Eastern Livestock website, based upon her normal hourly rates, equals \$825.00 as depicted on Exhibit B.<sup>1</sup> Recognizing that the website overlaps with certain ministerial functions that would ordinarily be required to be performed by the Trustee's Paralegal, the Trustee seeks to recover what he believes is a reasonable cost of providing the services related to the website of 50% of the Paralegal's time, or the sum of \$412.50 which approximates a cost of \$34.38 per month.

8. The Trustee previously submitted his First Application for Interim Compensation as allowed the sum of \$128,673.00, plus reimbursement for expenses of \$17,755.65. Following the Trustee's Second Application for Interim Compensation, he was allowed the sum of \$48,328.50 as fees and reimbursement of expenses of \$8,420.15. Following the Trustee's Third Application for Interim Compensation, he was allowed the sum of \$210,628.25 as fees and reimbursement of expenses of \$2,608.92. Following the Trustee's Fourth Application for Interim Compensation, he was allowed the sum of \$53,200.00 as fees (minus the 20% holdback) and reimbursement of expenses of \$1,756.00. Following the Trustee's Fifth Application for Interim Compensation, he was allowed the sum of \$65,740.00 as fees (minus the 20% holdback) and reimbursement of expenses of \$3,434.09. This Application is the eighth interim application of the Trustee. Following the Trustee's Sixth Application for Interim Compensation, he was allowed the sum of \$55,527.50 as fees (minus the 20% holdback) and reimbursement of expenses of \$1,778.94. Following the Trustee's

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<sup>1</sup> The Trustee's Paralegal has devoted many hours to assisting the Trustee which are not reflected on the entries related to the website in Exhibit "B" which is solely the website. The cost of the non-website time is subsumed in the Trustee's fee application.

Seventh Application for Interim Compensation, he was allowed the sum of \$22,467.50 as fees (minus the 20% holdback) and reimbursement of expenses of \$646.20.

9. No agreement or understanding exists between the Trustee and any other person or entity for the sharing of compensation received for services rendered in connection with this case, except his law firm.

10. All services rendered and all expenses incurred for which compensation or reimbursement is sought have been rendered or incurred exclusively by the Trustee and represent necessary and proper services rendered in the administration of this Chapter 11 Case.

THEREFORE, the Trustee requests (i) the Court award compensation to the Trustee on account of his work in the case in the amount of \$22,135.00 plus reimbursement for out-of-pocket and website expenses incurred in the amount of \$73.76 and \$412.50 and (ii) grant the Trustee all other just and proper relief.

Respectfully submitted,

KROGER, GARDIS & REGAS, LLP

By: /s/ James A. Knauer  
James A. Knauer, Chapter 11 Trustee  
111 Monument Circle, Suite 900  
Indianapolis, Indiana 46204-5125  
Telephone: 317-692-9000  
Facsimile: 317-777-7451  
jak@kgrlaw.com

## CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2015, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

David L. Abt davidabt@mwt.net	Amelia Martin Adams adams@dlgfirm.com	John W. Ames james@bgdlegal.com
Kay Dee Baird kbaird@kdlegal.com	Christopher E. Baker cbaker@thbklaw.com	Robert A. Bell rabell@vorys.com
C. R. Bowles, Jr cbowles@ bgdlegal.com	David W. Brangers dbrangers@lawyer.com	Steven A. Brehm sbrehm@ bgdlegal.com
Kent A Britt kabritt@vorys.com	Kayla D. Britton kayla.britton@faegrebd.com	Joe Lee Brown Joe.Brown@Hardincounty.biz
Lisa Koch Bryant courtmail@fbhllaw.net	John R. Burns, III john.burns@faegrebd.com	John R. Carr, III jciii@acs-law.com
Deborah Caruso dcaruso@daleeke.com	Ben T. Caughey ben.caughey@icemiller.com	Bret S. Clement bclement@acs-law.com
Joshua Elliott Clubb joshclubb@gmail.com	Jason W. Cottrell jwc@stuartlaw.com	Kirk Crutcher kcrutcher@mcs-law.com
Jack S. Dawson jdawson@millerdollarhide.com	Dustin R. DeNeal dustin.deneal@faegrebd.com	Laura Day Delcotto ladelcotto@dlgfirm.com
David Alan Domina dad@dominalaw.com	Daniel J. Donnellon ddonnellon@fclaw.com	Trevor L. Earl tearl@rwsvlaw.com
Shawna M. Eikenberry shawna.eikenberry@faegrebd.com	Jeffrey R. Erler jerler@ghjhlaw.com	William K. Flynn wkflynn@strausstroy.com
Robert Hughes Foree robertforee@bellsouth.net	Sandra D. Freeburger sfreeburger@dsf-atty.com	Melissa S. Giberson msgiberson@vorys.com
Thomas P. Glass tpglass@strausstroy.com	Patrick B. Griffin patrick.griffin@kutakrock.com	Terry E. Hall terry.hall@faegrebd.com
Paul M. Hoffman paul.hoffmann@stinsonleonard.com	John David Hoover jdhoover@hooverhull.com	John Huffaker john.huffaker@sprouselaw.com
Jeffrey L Hunter jeff.hunter@usdoj.gov	Jay Jaffe jay.jaffe@faegrebd.com	James Bryan Johnston bjtexas59@hotmail.com
Todd J. Johnston tjohnston@mcjllp.com	Jill Zengler Julian jill.Julian@usdoj.gov	Jay P. Kennedy jpk@kgrlaw.com
Edward M King tking@fbtlaw.com	James A. Knauer jak@kgrlaw.com	Erick P. Knoblock eknoblock@daleeke.com
Theodore A. Konstantinopoulos ndohbky@jbandr.com	Randall D. LaTour rdlatour@vorys.com	David A. Laird david.laird@moyewhite.com
David L. LeBas dlebas@namanhowell.com	Martha R. Lehman mlehman@kdlegal.com	Scott R. Leisz sleisz@bgdlegal.com
Elliott D. Levin edl@rubin-levin.net	Kim Martin Lewis kim.lewis@dinslaw.com	James B. Lind jblind@vorys.com
Karen L. Lobring lobring@msn.com	Jason A. Lopp jlopp@wyattfirm.com	John Hunt Lovell john@lovell-law.net
Harmony A. Mappes harmony.mappes@faegrebd.com	John Frederick Massouh john.massouh@sprouselaw.com	Michael W. McClain mmcclain@mcclaindeweес.com
Kelly Greene McConnell lisahughes@givenspursley.com	James Edwin McGhee mcghee@derbycitylaw.com	Brian H. Meldrum bmeldrum@stites.com
William Robert Meyer, II rmeyer@stites.com	Kevin J. Mitchell kevin.mitchell@faegrebd.com	Terrill K. Moffett kendalcantrell@moffettlaw.com
Allen Morris amorris@stites.com	Judy Hamilton Morse judy.morse@crowedunlevy.com	Erin Casey Nave enave@taftlaw.com
Matthew Daniel Neumann	Walter Scott Newbern	Shiv Ghuman O'Neill

mneumann@hhclaw.com	wsnewbern@msn.com	shiv.oneill@faegrebd.com
Matthew J. Ochs kim.maynes@moyewhite.com	Jessica Lynn Olsheski jessica.olsheski@justice-law.net	Michael Wayne Oyler moyer@rwsrlaw.com
Ross A. Plourde ross.plourde@mcafeetaft.com	Brian Robert Pollock bpollock@stites.com	Wendy W. Ponader wendy.ponader@faegrebd.com
Timothy T. Pridmore tpridmore@mcjlp.com	Anthony G. Raluy traluy@fbhllaw.net	Eric C. Redman ksmith@redmanludwig.com
Eric W. Richardson ewrichardson@vorys.com	Joe T. Roberts jratty@windstream.net	David Cooper Robertson crobertson@stites.com
Mark A. Robinson mrobinson@vhrlaw.com	Jeremy S. Rogers Jeremy.Rogers@dinslaw.com	John M. Rogers johnr@rubin-levin.net
Joseph H. Rogers jrogers@millerdollarhide.com	James E. Rossow jim@rubin-levin.net	Steven Eric Runyan ser@kgrlaw.com
Niccole R. Sadowski nsadowski@thblkllaw.com	Thomas C. Scherer tscherer@bgdlegal.com	Stephen E. Schilling seschilling@strausstroy.com
Ivana B. Shallcross ishallcross@bgdlegal.com	Sarah Elizabeth Sharp sarah.sharp@faegrebd.com	Suzanne M Shehan suzanne.shehan@kutakrock.com
James E. Smith, Jr. jsmith@smithakins.com	William E. Smith, III wsmith@k-glaw.com	Amanda Dalton Stafford ads@kgrlaw.com
Joshua N. Stine kabritt@vorys.com	Andrew D. Stosberg astosberg@lloydmc.com	Matthew R. Strzynski indyattorney@hotmail.com
Meredith R. Theisen mtheisen@daleeke.com	John M. Thompson john.thompson@crowedunlevy.com	Kevin M. Toner kevin.toner@faegrebd.com
Christopher M. Trapp ctrapp@rubin-levin.net	Chrisandrea L. Turner clturner@stites.com	U.S. Trustee ustpregion10.in.ecf@usdoj.gov
Andrew James Vandiver avandiver@aswdlaw.com	Andrea L. Wasson andrea@wassonthornhill.com	Jennifer Watt jwatt@kgrlaw.com
Stephen A. Weigand sweigand@ficlaw.com	Charles R. Wharton Charles.R.Wharton@usdoj.gov	Sean T. White swhite@hooverhull.com
Michael Benton Willey michael.willey@ag.tn.gov	Jason P. Wischmeyer jason@wischmeyerlaw.com	James T. Young james@rubin-levin.net

I further certify that on October 21, 2015, a copy of the foregoing pleading was served via electronic mail transmission on the following:

Thomas Richard Alexander, II  
tra@rgba-law.com

By: /s/ James A. Knauer  
 James A. Knauer, Chapter 11 Trustee  
 111 Monument Circle, Suite 900  
 Indianapolis, Indiana 46204-5125  
 Telephone: 317-692-9000  
 Facsimile: 317-777-7451  
 jak@kgrlaw.com